

## EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1372

*Affirmed*  
*Overpayment Assessed*

**PROCEDURAL HISTORY:** June 12, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 91730). On July 2, 2014, decision # 91730 became final without a request for hearing having been filed. On July 14, 2014, the Department served notice of an administrative decision assessing an \$882 overpayment based on decision # 91730 for the period of March 20, 2014 through June 7, 2014 (weeks 17-14 through 23-14) (decision # 123822). Claimant filed a timely request for hearing. On August 14, 2014, ALJ Wyatt conducted a hearing, and on August 15, 2014 issued Hearing Decision 14-UI-23456, affirming the Department's decision. On August 18, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered claimant's written argument to the extent it was relevant and based on the hearing record.

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 14-UI-23456 is affirmed.

Susan Rossiter and Tony Corcoran;  
J. S. Cromwell, not participating.

**DATE of Service:** August 27, 2014

**NOTE:** You may appeal this decision by filing a Petition for Judicial Review with the Oregon Court of Appeals within 30 days of the date of service listed above. See ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310 or visit the website at [court.oregon.gov](http://court.oregon.gov). Once on the website, click on the blue tab for "Materials and Resources." On the next screen, click on the tab that reads "Appellate Case Info." On

the next screen, select “Appellate Court Forms” from the left panel. On the next page, select the forms and instructions for the type of Petition for Judicial Review that you want to file.

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